Proper Use of GSA Contracts

Michael Blumenfeld
Michael.Blumenfeld@gsa.gov

Learning Objectives

- Highlight acquisition planning Best Practices
- Distinguish between assisted and direct acquisitions
  - Review GSA policy regarding assisted acquisitions
  - Review direct acquisition ordering procedures

Acquisition Planning

- Conduct market research
  - GSA Advantage!®, e-library, contractor price lists, catalogs
- Perform contract scope determination
  - For Schedule orders, requiring agency CO determines whether requirement is within scope
    - If questionable, call Schedule CO for assistance
  - GWACs have a specific process
- Document rationale for business decisions throughout the process

Brand Name Specifications

- FAR 11.105: "*shall not* be written so as to require a particular brand-name," requires J&A
- 11 April 2005 OFPP memorandum
  - Concern over increased use of brand name specs
    - Limited competition; diminished likelihood of achieving best value; severely limiting small business participation
  - Emphasize physical, functional, performance characteristics
  - Requires Fedbizopps publication of J&A
  - Applies to <u>all acquisitions</u>

What is an Assisted Acquisition?

- **DFARS 217.7801**

  "[A] contract awarded or a task or delivery order placed on behalf of DoD by a non-DoD agency."

GSA Policy on Assisted Acquisitions

GSA contracting officers . . .

- Are responsible for knowing:
  - Generally applicable acquisition laws and regulations
  - Specific GSA procurement rules
- Are <u>not</u> responsible for knowing:
  - "Local" policy requirements
  - Restrictions applicable to your funding
- GSA Policy letter available at: https://acc.dau.mil/usingnondodcontracts

Requirements documentation for Assisted Acquisitions

- Reimbursable Agreement
  - Interagency Agreement/MOU
  - Funding document
- Statement of work/scope of requirement
- Certification of completed internal requirements
- Evaluation criteria, in terms of best value
- Results of market research

What is a Direct Acquisition?

- **DFARS 217.7801**

  "[A] task or delivery order placed by a DoD official under a contract awarded by a non-DoD agency."

  - Multiple Award Schedules (Schedules, FSS or MAS)
    - FAR 8.405 ordering procedures
  - Governmentwide Acquisition Contracts (GWACs)
    - Delegation of authority from GWAC program office

Direct Acquisitions using MAS

- Ordering procedures (FAR 8.405)
  - Micro-purchases and maximum order threshold
  - Products and simple services (FAR 8.405-1)
  - Services requiring SOW (FAR 8.405-2)
    - SOW standards (FAR 8.405-2(b) - *shall include*)
    - Evaluations – meaningful comparison

Meaningful Comparison for Best Value Determination

1. Quality of Performance
2. Cost Efficiencies
3. Schedule Performance
4. Business Relations

- *…greatest overall benefit in response to the requirement.*

Direct Acquisitions using GWACs

- Authority to order from GWAC
  - Training on ordering procedures
  - Delegation of Authority from program office
- Ordering procedures (FAR 16.505)
  - Fair opportunity to be considered for each order
  - Broad discretion in order placement procedures

DoD Competition Requirements

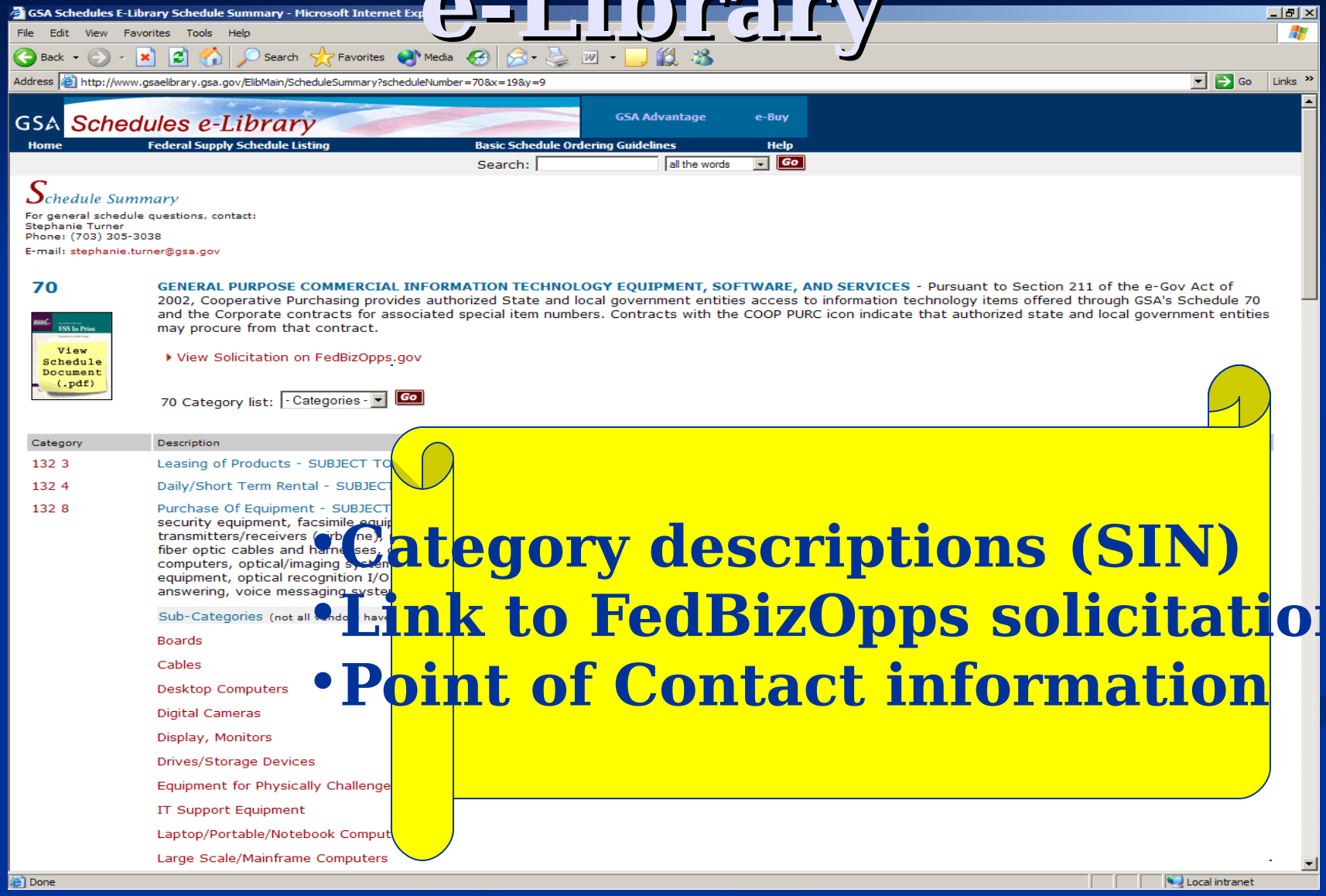
- Section 803 of FY 02 NDAA (Pub.L. 107-107)
  - DoD competition for the purchase of services
- Schedules - DFARS 208.404-70
  - Ensure that offers will be received from at least three contractors
  - Use of e-Buy to meet regulatory requirement
- GWACs – DFARS 216.505-70
  - Solicit all contractors offering the required services

E-Tools and Information

- Proper Use of Non-DoD Contracts
  - https://acc.dau.mil/usingnondodcontracts
- GSA Advantage!® - on-line shopping
  - https://www.gsaadvantage.gov
- e-Buy - RFQ posting system (meets competition requirements)
  - https://www.ebuy.gsa.gov
- e-Library - lists all active MAS & GWAC
  - http://www.gsaelibrary.gsa.gov

Market research using e-Library

Market Research Using e-Library


GSA Schedules E-Library Schedule Summary - Microsoft Internet Exp
File Edit View Favorites Tools Help
Back Search Favorites Media
Address http://www.gsaelibrary.gsa.gov/ElibMain/ScheduleSummary?scheduleNumber=70&x=19&y=9
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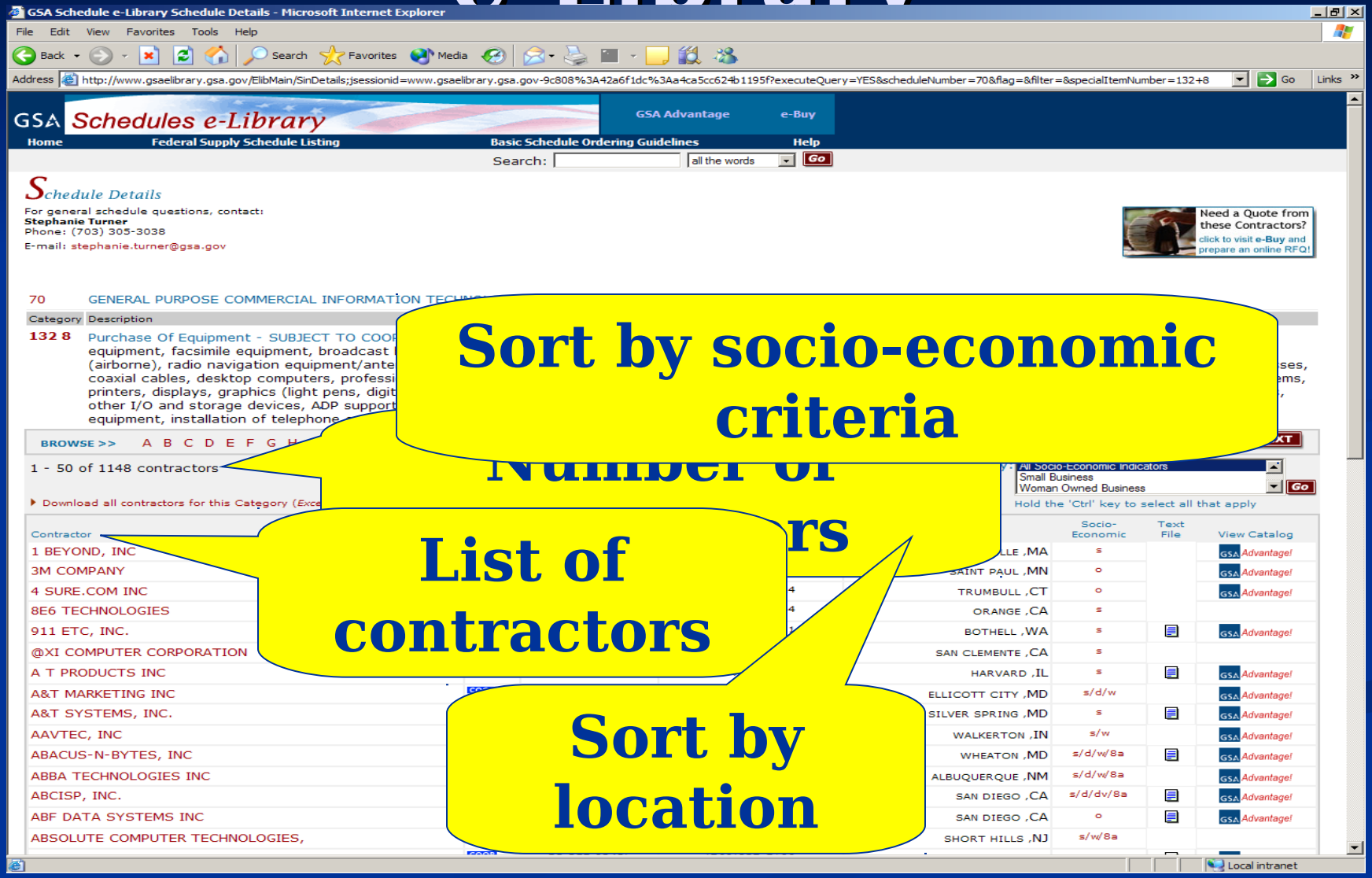
GSA Schedules e-Library
GSA Advantage
e-Buy
Home
Federal Supply Schedule Listing
Basic Schedule Ordering Guidelines
Help
Search:
all the words
Go
Schedule Summary
For general schedule questions, contact:
Stephanie Turner
Phone: (703) 305-3038
E-mail: stephanie.turner@gsa.gov
70
GENERAL PURPOSE COMMERCIAL INFORMATION TECHNOLOGY EQUIPMENT, SOFTWARE, AND SERVICES - Pursuant to Section 211 of the e-Gov Act of 2002, Cooperative Purchasing provides authorized State and local government entities access to information technology items offered through GSA's Schedule 70 and the Corporate contracts for associated special item numbers. Contracts with the COOP PURC icon indicate that authorized state and local government entities may procure from that contract.
View Schedule Document (.pdf)
View Solicitation on FedBizOpps.gov
70 Category list: - Categories - Go
Category
Description
132 3
Leasing of Products - SUBJECT TO
132 4
Daily/Short Term Rental - SUBJECT
132 8
Purchase Of Equipment - SUBJECT
security equipment, facsimile equip
transmitters/receivers (airborne),
fiber optic cables and harnesses,
computers, optical/imaging system
equipment, optical recognition I/O
answering, voice messaging syste
Sub-Categories (not all vendors have
Boards
Cables
Desktop Computers
Digital Cameras
Display, Monitors
Drives/Storage Devices
Equipment for Physically Challenge
IT Support Equipment
Laptop/Portable/Notebook Comput
Large Scale/Mainframe Computers
Done
Local intranet

- Category descriptions (SIN)
- Link to FedBizOpps solicitation
- Point of Contact information

Market Research Using e-Library



More Special Features

- Socio-Economic Credit
  - Credit toward agency goals
  - Credit for orders under both MAS and GWAC
- Schedule Blanket Purchase Agreements (BPAs)
  - Simplified method for repetitive buys
  - Multiple or single awards

Tools and Training

- https://fsstraining.gsa.gov
  - FREE Courses on Schedules, GWACs, and Cooperative Purchasing
    - Self-paced, available 24/7
  - Access to classroom training
    - CEUs, accredited instructors

OSD-DAU-GSA Partnership

Working together to achieve Acquisition Excellence

Questions?